

**NOTICE OF COMPLAINT PROPOSING TO ASSESS A CIVIL PENALTY
AND OPPORTUNITY TO REQUEST A HEARING THEREON**

U.S. Environmental Protection Agency
Region III, Water Protection Division
1650 Arch Street
Philadelphia, PA 19103-2029
Telephone: (215) 814-5435

PUBLIC NOTICE NUMBER: PO2-107=GC
PUBLIC NOTICE ISSUE DATE: 7 January 2000

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. Section 1319(g), notice is hereby given that the U.S. Environmental Protection Agency (EPA) is proposing an administrative civil penalty against the Respondent named below:

RESPONDENT: The **Maryland Rock Industries, Inc.**, a subsidiary of **Florida Rock Industries, Inc.**, owns and operates a **sand and gravel** operation located in the District of Columbia that discharges storm water to **a storm sewer which discharges to the Anacostia River.**

SUMMARY OF VIOLATIONS: Respondent is alleged to have violated the Clean Water Act (CWA) by not complying with certain provisions of its Clean Water Act permit requiring it to minimize the discharge of solids, such as sand and fine rock dust, from its facility to the storm sewer and to the Anacostia River.

PROPOSED ADMINISTRATIVE PENALTY: As a result of the above, the EPA Region III proposes to assess a Class I administrative civil penalty of \$ 8,200 pursuant to Section 309(g) of the CWA, 33 U.S.C. Section 1319(g).

OPPORTUNITY TO COMMENT ON PROPOSED PENALTY ASSESSMENT: Persons wishing to comment on the amount or basis of the proposed penalty are invited to submit a statement to the EPA Regional Administrator, attention of the Regional Hearing Clerk (address below), within thirty (30) days of the date of this public notice. Procedures by which the public may submit written comments or participate in the proceedings are described in the *"Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits,"* 64 Fed. Reg. 40138 (July 23, 1999) (to be codified at 40 C.F.R. Part 22). All comments received within this thirty (30) day period will be considered in the formulation of the final order. All comments must include the name, address, and telephone number of the writer and a concise statement of the basis for any comment and any relevant facts on which it is based.

If Respondent requests a hearing within thirty (30) days of receiving the Administrative Complaint, those submitting written comments in response to this Notice will be advised of the time and date of the hearing and may appear to present evidence on the appropriateness of the proposed penalty.

All comments should be addressed to:

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
RE: Docket No. CWA-III-xxx

AVAILABILITY OF INFORMATION: Information relevant to the proposed penalty assessment may be requested through the Regional Hearing Clerk identified above.

REGISTER OF INTERESTED PERSONS: Any person interested in a particular case or group of cases may leave his/her name, address, and telephone number on a registry of interested persons which will be maintained in each file. The list of names will be maintained as a means for persons with an interest in the case to contact others with the same interest.